



## TEXAS FORENSIC SCIENCE COMMISSION

*Justice Through Science*

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### **TEXAS FORENSIC SCIENCE COMMISSION**

#### **MEETING AGENDA**

**July 16, 2021 at 9:00 AM**

Virtual Meeting via Zoom, Instructions Below

**Due to Governor Greg Abbott's March 13, 2020 proclamation of a state of disaster and June 7, 2021 extended proclamation of a state of disaster affecting all counties in Texas due to the Coronavirus (COVID-19) and the Governor's March 16, 2020 suspension of certain provisions of the Texas Open Meetings Act, the July 16, 2021 meeting of the Texas Forensic Science Commission will be held by virtual and telephonic conference call as authorized under Texas Government Code section 551.125.**

**Members of the public will have access and a means to participate in this meeting, by two-way audio, using the following web login or dial-in instructions:**

**Please use the following meeting dial-information:**

Topic: Forensic Science Commission Quarterly Meeting

Time: Jul 16, 2021 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://txcourts.zoom.us/j/95035407786>

Meeting ID: 950 3540 7786

One tap mobile

+13462487799,,95035407786# US (Houston)

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Dial by your location

+1 346 248 7799 US (Houston)

+1 253 215 8782 US (Tacoma)

+1 669 900 6833 US (San Jose)

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Find your local number: <https://txcourts.zoom.us/j/95035407786>

Join by SIP

95035407786@zoomcrc.com

Join by H.323

162.255.37.11 (US West)

162.255.36.11 (US East)

115.114.131.7 (India Mumbai)

115.114.115.7 (India Hyderabad)

213.19.144.110 (Amsterdam Netherlands)

213.244.140.110 (Germany)

103.122.166.55 (Australia Sydney)

103.122.167.55 (Australia Melbourne)

64.211.144.160 (Brazil)

69.174.57.160 (Canada Toronto)

65.39.152.160 (Canada Vancouver)

207.226.132.110 (Japan Tokyo)

149.137.24.110 (Japan Osaka)

Meeting ID: 950 3540 7786

Join by Skype for Business

<https://txcourts.zoom.us/skype/95035407786>

#### Public Participant Instructions:

If you wish to provide public comment during the meeting on a topic being discussed by Commissioners, please either type your question or comment in the chat box or virtually “raise your hand.” The meeting facilitator will mute and unmute participants at the direction of the Chairperson. If you are not able to provide public comment during the meeting and still wish to provide public comment, the Commission will have a public comment period at the end of the agenda to address any remaining questions or comments. You may also complete the attached Public Testimony Form and email it to [info@fsc.texas.gov](mailto:info@fsc.texas.gov) in advance of the meeting to ensure your public comment is addressed. All public comments are limited to 5 minutes with adjustments as necessary.

A recording of the meeting will be available after July 16, 2021. To obtain a recording, please contact Kathryn Adams at (512) 936-0770 or email [kathryn.adams@fsc.texas.gov](mailto:kathryn.adams@fsc.texas.gov).

During this meeting, the Commission may consider and take action on the following items. The Commission may take breaks as necessary. The timing of agenda items provided below are estimates.

1. Call meeting to order. Roll call for members. (Barnard) (2 min)
2. Instructions for public participation. (Tomlin) (3 min)

3. Review and adopt minutes from April 16, 2021 Forensic Science Commission Quarterly meeting. (Barnard) (3 min)
4. Office administrative update (FY2021 budget status report and FY2022 budget projections; discuss staff attendance/presentations at various conferences; update on database project with Office of Court Administration IT; discuss new Program Specialist I position). (Garcia/Tomlin) (5 min)
5. Discuss and consider pending complaints and laboratory self-disclosures as well as new complaints and self-disclosures received through July 2, 2021. (Daniel) (75 min)

#### Disclosures Pending from April 16, 2021

1. No. 21.04; Houston Forensic Science Center (Forensic Biology/DNA)
2. No. 21.15; Houston Forensic Science Center (Friction Ridge)
3. No. 21.19; Bexar County Criminal Investigation Laboratory (Seized Drugs)

#### Disclosures Received as of July 2, 2021

4. No. 21.22; Tarrant County Medical Examiner's Office (Forensic Biology/DNA)
5. No. 21.23; Tarrant County Medical Examiner's Office (Forensic Biology/DNA; CODIS)
6. No. 21.24; Department of Public Safety Austin (Digital/Multimedia)
7. No. 21.30; Jefferson County Regional Crime Laboratory (Seized Drugs)
8. No. 21.34; Jefferson County Regional Crime Laboratory (Seized Drugs)
9. No. 21.38; University of North Texas Health Science Center – Center for Human Identification (Forensic Biology/DNA; CODIS)
10. No. 21.41; NMS Labs (Seized Drugs)
11. No. 21.42; Department of Public Safety Austin (Forensic Biology/DNA)
12. No. 21.43; University of North Texas Health Science Center – Center for Human Identification (Forensic Biology/DNA; mtDNA)

#### Complaints Pending from April 16, 2021

13. No. 21.12; Glen Dale Horner (Houston Police Department/Houston Forensic Science Center; Forensic Biology/DNA)

#### Complaints Received as of July 2, 2021

14. No. 21.25; Brooks, Randall (Fort Worth Police Department Crime Laboratory; Serology)
15. No. 21.26; Pride, Derek (Department of Public Safety Midland; Seized Drugs)
16. No. 21.31; Gutierrez, Roland (Department of Public Safety Houston; Seized Drugs)

17. No. 21.32; Harris County Public Defender's Office on behalf of defendant Timothy Schmidt (Dr. Melba Ketchum; Wildlife (Canine) DNA)
18. No. 21.39; Johnson, Jerry (DPS Lubbock; Materials/Trace)
6. Discuss status of crime laboratory accreditation program, including accreditation non-conformances and reports received since April 16, 2021 quarterly meeting. (Garcia/Tomlin) *(15 min)*
7. Discuss licensing advisory committee update, including:
  - a. Update on licenses issued and renewed;
  - b. Review memorandum of licensing-related nonconformances and reports;
  - c. Review outstanding licensing rules and any proposed rule concepts for approval, including discussion and vote on:
    - i. revisions to license expiration policy;
    - ii. edits to crime scene investigation definition; and
    - iii. addition of crime scene investigation to unaccredited disciplines eligible for the General Forensic Analyst Licensing Exam.
  - d. Update on remote exam testing and proctoring agreement with SHSU; and
  - e. Update on piloting of General Forensic Analyst Licensing Exam II. (Garcia/Tomlin) *(30 min)*
8. Update from investigative panel regarding Southwestern Institute of Forensic Science (Firearms/Toolmarks) self-disclosure #21.17. (Budowle/Daniel/Parsons) *(5 min)*
9. Review and adopt final report from investigative panel regarding Fort Worth Police Department Crime Laboratory complaint #20.47. (Parsons/Budowle/Downing) *(15 min)*
10. Update from investigative panel regarding Expertox complaint #20.55. (Kerrigan, Downing, Parsons, Daniels) *(5 min)*
11. Review and adopt final report from investigative panel regarding Armstrong complaint #20.60. (Kerrigan, Drake, Buzzini) *(15 min)*
12. Update regarding forensic science related legislation (87<sup>th</sup> Session). (Garcia/Stout) *(10 min)*
13. Update from the Texas Association of Crime Laboratory Directors. (Garcia) *(5 min)*
14. Consider proposed agenda items for next quarterly meeting. (Barnard)
15. Schedule and location of future panel and quarterly meetings, including October 22, 2021 quarterly meeting. (Barnard)
16. Hear public comment. (Barnard)
17. Adjourn.